

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

0.647 ACRES OF LAND, MORE OR LESS,
SITUATE IN HIDALGO COUNTY,
STATE OF TEXAS; AND HIDALGO
COUNTY, TEXAS, ET AL.,

Defendants.

§ § § § § § § § § § § § § § § §

CASE NO. 7:20-CV-420

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ N. Joseph Unruh*
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and

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Attorney for United States of America

SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13 which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tracts: RGV-WSL-2023 and 2023-1

Owners: County of Hidalgo, *et al.*

Acres: 0.647

RGV-WSL-2023

Being a 0.299 of one acre (13,017 square feet) parcel of land, more or less, being out of the Narciso Cabazos Survey, Abstract No. 30, Hidalgo County, Texas, being out of Porción 71, being situated between Lot 102 and Lot 103 of San Juan Plantation recorded in Volume 3, Page 52, Map Records of Hidalgo County, Texas and being out of a called 0.37 acre tract conveyed to the County of Hidalgo by Final Judgement recorded in Instrument No. 1934-15867, Deed Records of Hidalgo County, Texas, said parcel of land being more particularly described by metes and bounds as follows:

Commencing at a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-WSL-2015-1=2020-7", said point being at the south east corner of a called one acre tract conveyed to Pedro G. Garza by Warranty Deed recorded in Instrument No. 1954-1028, Deed Records of Hidalgo County, Texas and the southwest corner of a called 0.50 acre tract conveyed to Irma Garza by Warranty Deed recorded in Instrument No. 2009-1991911, Official Records of Hidalgo County, Texas, said point being in the north right-of-way line of Old Military Road, said point having the coordinates of N=16557073.963, E=1090358.013, said point bears N 88-20-30 E, a distance of 2871.00' from United States Army Corps of Engineers Control Point No. 110;

Thence: N 08-40-52 E, departing the north right-of-way line of Old Military Road, with the east line of the one acre tract and the west line of the 0.50 acre tract, for a distance of 166.67' to a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-WSL-2015-2=2023-1" for the **Point of Beginning** and southwest corner of Tract RGV-WSL-2023, said point being at the northwest corner of the 0.50 acre tract, the southwest corner of the 0.37 acre tract, the southeast corner of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 434, Page 384, Deed Records of Hidalgo County, Texas ("80-H") and the southwest corner of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 434, Page 383, Deed Records of Hidalgo County, Texas ("79-H"), said point being in the east line of the one acre tract, said point having the coordinates of N=16557238.719, E=1090383.168;

SCHEDULE C (Cont.)

Thence: N 08-40-52 E, with the west line of the 0.37 acre tract, the east line of the one acre tract, the east line of the “80-H” river levee right-of-way and the west line of the “79-H” river levee right-of-way, for a distance of 91.77’ to a point for the northwest corner of Tract RGV-WSL-2023, said point being at the northwest corner of the 0.37 acre tract and the northeast corner of the one acre tract, said point being in the east line of the “80-H” river levee right-of-way, the west line of the “79-H” river levee right-of-way, the south line of Lateral “A” as conveyed to Hidalgo County Water Improvement District No. Two by Warranty Deed recorded in Volume 120, Page 531, Deed Records of Hidalgo County, Texas and the southern edge of Doffin Canal Road, said point marking a point of curvature to the right;

Thence: departing the east line of the “80-H” river levee right-of-way, with the north line of the 0.37 acre tract and the south line of Lateral “A”, over and across the “79-H” river levee right-of-way, along said curve to the right for an arc distance of 138.71’, with a central angle of 8-06-35 and a radius of 979.99’, with a chord bearing of S 89-24-40 E, for a distance of 138.59’ to a point for the northeast corner of Tract RGV-WSL-2023, said point being at the northeast corner of the 0.37 acre tract, said point being in the south line of Lateral “A”, the east line of the “79-H” river levee right-of-way, the west line of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 442, Page 392, Deed Records of Hidalgo County, Texas (“78-H, Tract 3”), the west line of Lot 103, the west line of a tract of land conveyed to KVS Family Limited Partnership by Warranty Deed with Vendor’s Lien recorded in Instrument No. 2002-1048589, Official Records of Hidalgo County, Texas (“Tract II”) and the approximate centerline of San Juan Road;

Thence: S 08-40-09 W, departing the south line of Lateral “A”, with the east line of the 0.37 acre tract, the east line of the “79-H” river levee right-of-way, the west line of the “78-H, Tract 3” river levee right-of-way, the west line of Lot 103, the west line of the KVS Family tract and the approximate centerline of San Juan Road, for a distance of 94.65’ to a point for the southeast corner of Tract RGV-WSL-2023, said point being at the southeast corner of the 0.37 acre tract, the southeast corner of the “79-H” river levee right-of-way and the northeast corner of the 0.50 acre tract, said point being in the west line of the “78-H, Tract 3” river levee right-of-way, the west line of Lot 103, the west line of the KVS Family tract and the approximate centerline of San Juan Road;

Thence: N 88-13-41 W, departing the approximate centerline of San Juan Road, the west line of the “78-H, Tract 3” river levee right-of-way, the west line of Lot 103 and the west line of the KVS Family tract, with the south line of the 0.37 acre tract, the south line of the “79-H” river levee right-of-way and the north line of the 0.50 acre tract, for a distance of 138.24’ to the **Point of Beginning**.

SCHEDULE C (Cont.)

RGV-WSL-2023-1

Being a 0.348 of one acre (15,146 square feet) parcel of land, more or less, being out of the Narciso Cabazos Survey, Abstract No. 30, Porción 71, Hidalgo County, Texas, being situated between Lot 102 and Lot 103 of San Juan Plantation recorded in Volume 3, Page 52, Map Records of Hidalgo County, Texas, and being out of a called 0.49 acre tract conveyed to Hidalgo County, Texas by Quitclaim Deed recorded in Volume 434, Page 596, Deed Records of Hidalgo County, Texas (Second Tract), said parcel of land being more particularly described by metes and bounds as follows;

Commencing at a found 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-WSL-2012-4=2020-1", said point being in the north right-of-way line of Old Military Road, said point being at the southwest corner of the remainder of a called one acre tract conveyed to Carlos Serna by Warranty Deed recorded in Volume 1008, Page 90, Deed Records of Hidalgo County, Texas, and being the same tract of land acquired by David Simon Serna, John Edward Serna and Kathleen Anne Serna through inheritance from the Estate of Carlos Serna, Deceased as described in Cause No. P-33,854, Probate Records of Hidalgo County, Texas and the southeast corner of a called 2.69 acre tract conveyed to the Francis E. Knapp, Jr. Family Trust by Surface Warranty Deed recorded in Instrument No. 2018-2970447, Official Records of Hidalgo County, Texas, said point being in the east line of Lot 102, said point having the coordinates of N=16557061.600, E=1090193.886, said point bears N 88-30-10 E, a distance of 2706.60' from United States Army Corps of Engineers Control Point No. 110;

Thence: N 08-35-45 E, departing the north right-of-way line of Old Military Road, with the west line of the Serna one acre tract, the east line of Lot 102, and the east line of the 2.69 acre tract, passing at 108.40' the southeast corner of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 442, Page 392, Deed Records of Hidalgo County, Texas ("78-H, Tract 2"), continuing for a total distance of 156.33' to a point for the **Point of Beginning** and southwest corner of Tract RGV-WSL-2023-1, said point being in the east line of Lot 102, the east line of the 2.69 acre tract, and the east line of the "78-H, Tract 2" river levee right-of-way, said point being at the northwest corner of the remainder of the Serna one acre tract, the southwest corner of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 434, Page 384, Deed Records of Hidalgo County, Texas ("80-H"), and the southwest corner of the 0.49 acre tract, said point having the coordinates of N=16557216.171, E=1090217.251;

Thence: N 08-35-45 E, with the east line of Lot 102, the east line of the 2.69 acre tract, the east line of the "78-H, Tract 2" river levee right-of-way, the west line of the 0.49 acre tract, and the west line of the "80-H" river levee right-of-way, for a distance of 94.81' to a point for the northwest corner of Tract RGV-WSL-2023-1, said point being in the east line of Lot 102, the east line of the "78-H, Tract 2" river levee right-of-way, the west line of the

SCHEDULE C (Cont.)

“80-H” river levee right-of-way, the west line of the 0.49 acre tract, and the south line of Lateral “A” as conveyed to Hidalgo County Water Improvement District No. Two by Warranty Deed recorded in Volume 120, Page 531, Deed Records of Hidalgo County, Texas, said point being in the southern edge of Doffin Canal Road, said point being at the northeast corner of the 2.69 acre tract;

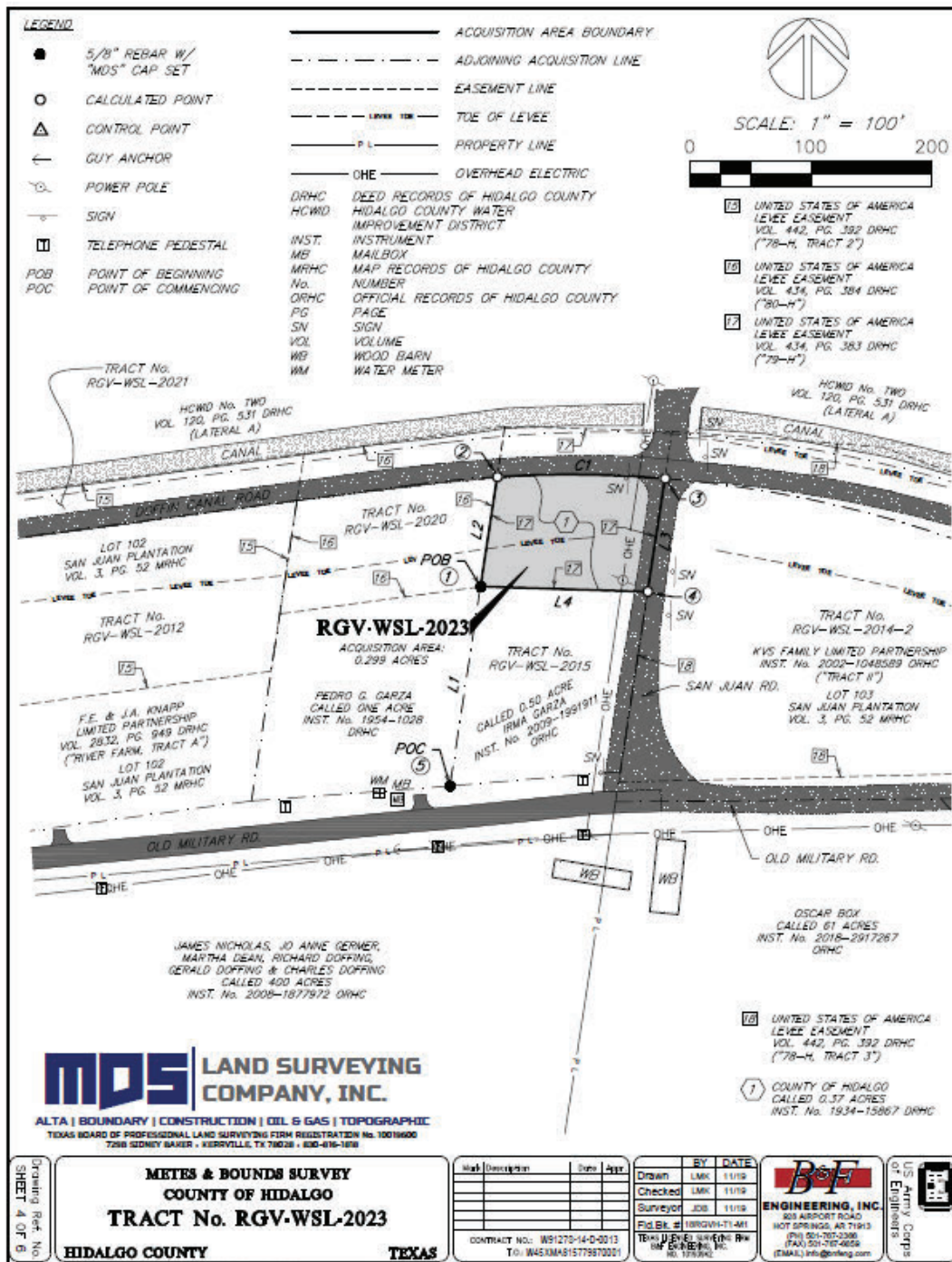
Thence: departing the east line of the “78-H, Tract 2” river levee right-of-way and the east line of Lot 102, over and across the “80-H” river levee right-of-way and the 0.49 acre tract, with the south line of Lateral “A” and the southern edge of Doffin Canal Road, the following courses and distances:

- N 82-24-18 E, for a distance of 96.16’ to a point of curvature to the right;
- Along said curve to the right for an arc distance of 70.63’, with a central angle of 4-07-45 and a radius of 979.99’, with a chord bearing of N 84-28-10 E, for a distance of 70.61’ to a point for the northeast corner of Tract RGV-WSL-2023-1, said point being in the south line of Lateral “A”, the east line of the “80-H” river levee right-of-way, the west line of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 434, Page 383, Deed Records of Hidalgo County, Texas (“79-H”), the east line of the 0.49 acre tract and the west line of a called 0.42 acre tract conveyed to Hidalgo County, Texas by Quitclaim Deed recorded in Volume 434, Page 596, Deed Records of Hidalgo County, Texas (First Tract);

Thence: S 08-40-52 W, departing the south line of Lateral “A”, with the west line of the “79-H” river levee right-of-way, the east line of the “80-H” river levee right-of-way, the east line of the 0.49 acre tract, and the west line of the 0.42 acre tract, for a distance of 91.77’ to a point for the southeast corner of Tract RGV-WSL-2023-1, said point being at the northeast corner of the remainder of the Serna one acre tract, the southeast corner of the 0.49 acre tract, the southeast corner of the “80-H” river levee right-of-way, the southwest corner of the “79-H” river levee right-of-way, and the northwest corner of a called 0.50 acre tract conveyed to Irma Garza by Warranty Deed recorded in Instrument No. 2009-1991911, Official Records of Hidalgo County, Texas;

Thence: S 82-15-40 W, with the south line of the 0.49 acre tract and the north line of the Serna one acre tract, for a distance of 167.44’ to the **Point of Beginning**.

SCHEDULE D

SCHEDULE D**MAP OR PLAT OF LAND TO BE CONDEMNED**

SCHEDULE D (Cont.)

LINE	BEARING	DISTANCE	REC-BEARING	REC-DISTANCE
L1	N 08°40'52" E	166.67'	N/A	N/A
L2	N 08°40'52" E	91.77'	N/A	N/A
L3	S 08°40'09" W	94.65'	N/A	N/A
L4	N 88°13'41" W	138.24'	N/A	N/A
L5	N 88°20'30" E	2871.00'	N/A	N/A

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	979.99'	138.71'	138.59'	S 89°24'40" E	8°06'35"

COORDINATE TABLE

MONUMENT No.	NORTHING	EASTING	MONUMENT NAME
1	16557238.719	1090383.168	RGV-WSL-2015-2=2023-1
2	16557329.434	1090397.019	RGV-WSL-2020-4=2023-2
3	16557328.010	1090535.606	RGV-WSL-2014-2-1=2023-3
4	16557234.444	1090521.340	RGV-WSL-2015-3=2023-4
5	16557073.963	1090358.013	RGV-WSL-2015-1=2020-7

NOTES:

1. THE BEARINGS, DISTANCES, AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD83(2011), TX SOUTH ZONE (4205). US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TARRANT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACRES OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY COMPLETED 10/10/2018.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUBCONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON OCTOBER 5, 2018 (TICKET NO. 582716038).



ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10018600
7208 SIDNEY BAKER - KERRVILLE, TX 78603 - 830-616-1878

METES & BOUNDS SURVEY
COUNTY OF HIDALGO
TRACT No. RGV-WSL-2023

HIDALGO COUNTY

TEXAS

Sheet	Description	Date	Appr.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

BY	DATE
Drawn LMK	11/19
Checked LMK	11/19
Surveyor JCB	11/19
File No. #	1803024-71-4H
TRAIL JUNE 14, 2019	
BY B&F ENGINEERING, INC.	
NO. 175936	



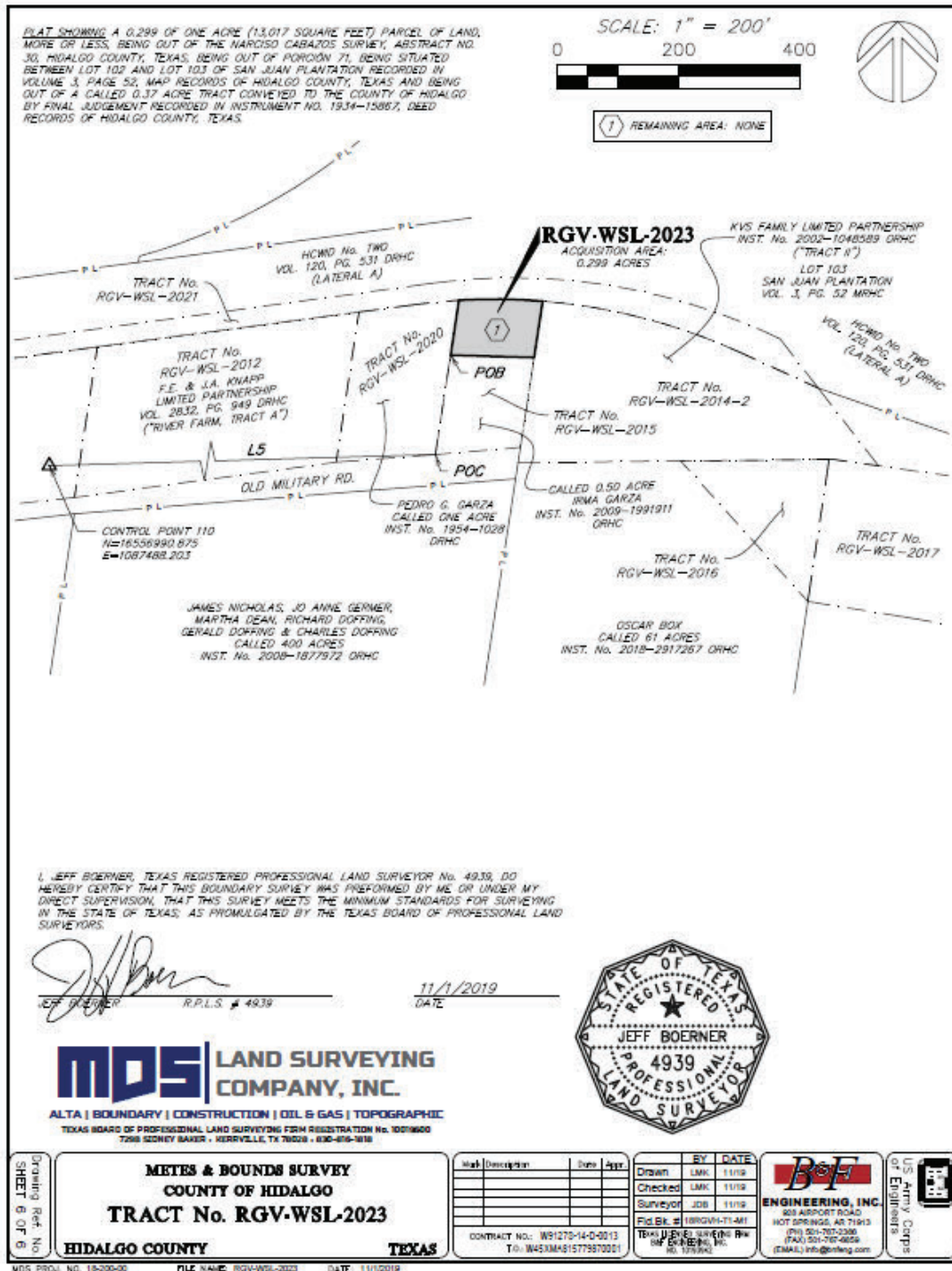
MDS PROJ. NO. 19-030-00

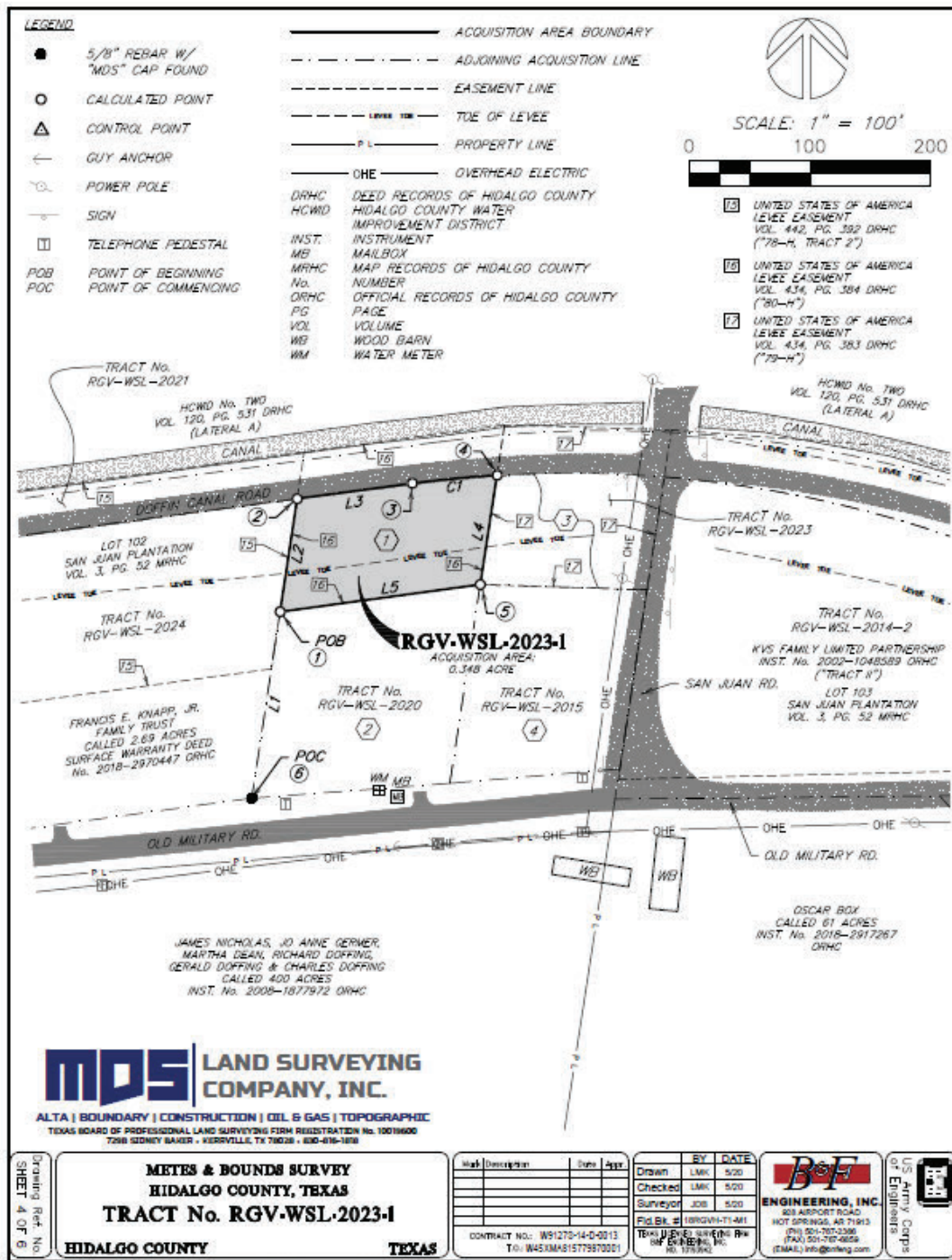
FILE NAME: RGV-WSL-2023

DATE: 11/19/2019

CONTRACT NO.: W51275-14-C-0013
T.O.: W451MA615775670001

Drawing Ref. No.
SHEET 5 OF 6

SCHEDULE D (Cont.)

SCHEDULE D (Cont.)

SCHEDULE D (Cont.)

①
HIDALGO COUNTY, TEXAS
CALLED 0.49 ACRE
QUITCLAIM DEED
VOL. 434, PG. 596 DRHC
(SECOND TRACT)

②
CARLOS SERNA
REMAINDER OF
CALLED ONE ACRE
WARRANTY DEED
VOL. 1008, PG. 90 DRHC

DAVID SIMON SERNA,
JOHN EDWARD SERNA
& KATHLEEN ANNE SERNA
PROBATE
CAUSE No. P-33,854

③
HIDALGO COUNTY, TEXAS
CALLED 0.42 ACRE
QUITCLAIM DEED
VOL. 434, PG. 596 DRHC
(FIRST TRACT)

④
IRMA GARZA
CALLED 0.50 ACRE
INST. No. 2008-1991911 DRHC

LINE	BEARING	DISTANCE	REC-BEARING	REC-DISTANCE
L1	N 08°35'45" E	156.33'	N/A	N/A
L2	N 08°35'45" E	94.81'	N/A	N/A
L3	N 82°24'18" E	96.16'	N/A	N/A
L4	S 08°40'52" W	91.77'	N/A	N/A
L5	S 82°15'40" W	167.44'	N/A	N/A
L6	N 88°30'10" E	2706.60'	N/A	N/A

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CT	979.99'	70.63'	70.61'	N 84°28'10" E	40°7'45"

COORDINATE TABLE

MONUMENT No.	NORTHING	EASTING	MONUMENT NAME
1	16557216.171	1090217.251	RGV-WSL-2020-2=2023-1-1
2	16557309.920	1090231.422	RGV-WSL-2012-3=2023-1-2
3	16557322.629	1090326.736	RGV-WSL-2023-1-3
4	16557329.434	1090397.019	RGV-WSL-2023-2=2023-1-4
5	16557236.719	1090383.168	RGV-WSL-2023-1=2023-1-5
6	16557061.600	1090193.886	RGV-WSL-2012-4=2020-1

NOTES:

1. THE BEARINGS, DISTANCES, AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD83(2011), TX SOUTH ZONE (4205), US SURVEY FEET, USING THE CORPS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TxDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECORDED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY COMPLETED 10/10/2018.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUBCONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON OCTOBER 5, 2018 (TICKET NO. 582716038).

MDS LAND SURVEYING
COMPANY, INC.

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TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10019600
7268 SIDNEY BAKER • KERRVILLE, TX 78601 • 830-416-1816

METES & BOUNDS SURVEY
HIDALGO COUNTY, TEXAS
TRACT No. RGV-WSL-2023-1

HIDALGO COUNTY

TEXAS

Work Description	Date	Appr.

BY	DATE
Drawn LMK	5/20
Checked LMK	5/20
Surveyor JCB	5/20
Plat Bl. #	(HIDALGO-T1-48)

CONTRACT NO.: W91275-14-D-0013
TO: W453MAB1577870001

B&F
ENGINEERING, INC.
608 AIRPORT ROAD
HOT SPRINGS, AR 71903
(PH) 501-787-3390
(FAX) 501-787-0659
(EMAIL) info@bmfeng.com

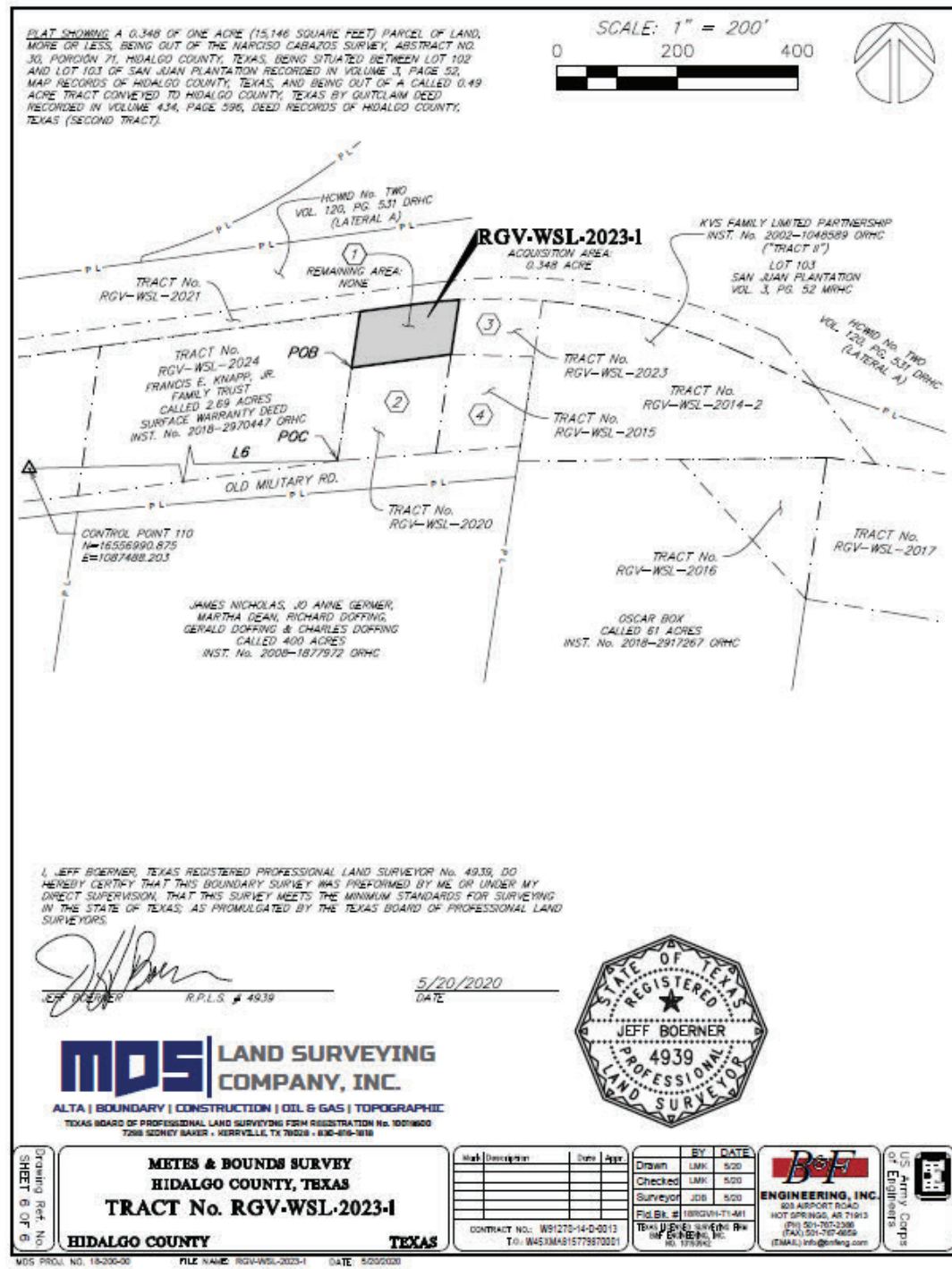
U.S. Army Corps
of Engineers

MDS PROJ. NO. 18-205-00

FILE NAME: RGV-WSL-2023-1

DATE: 5/20/2020

Drawing Ref. No.
SHEET 6 OF 6

SCHEDULE D (Cont.)

Tracts: RGV-WSL-2023 and 2023-1
 Owners: County of Hidalgo, *et al.*
 Acreage: 0.647

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Hidalgo County, Texas

Tracts: RGV-WSL-2023 and 2023-1

Owners: County of Hidalgo, *et al.*

Acres: 0.647

Tract: RGV-WSL-2023

Acres: 0.299

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

Tract: RGV-WSL-2023-1

Acres: 0.348

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

SCHEDULE

F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

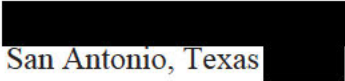

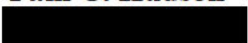
The sum estimated as just compensation for the lands being taken is FOUR THOUSAND THREE HUNDRED DOLLARS AND NO/100 (\$4,300.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

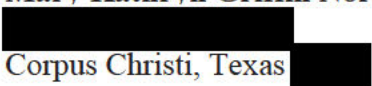
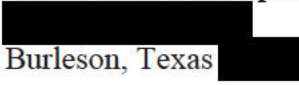
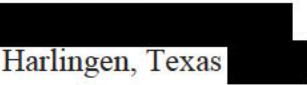
The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).



Interested Party	Reference
1. Hidalgo County, Texas C/O Greg Kerr 2300 W. Pike Boulevard Suite 300, Weslaco, Texas 78596	Quitclaim Deed; Document #1937-9583; Recorded October 26, 1937 in the Real Property Records of Hidalgo County, Texas
2. The Unknown Heirs of John Closner & The Unknown Heirs of Alice Closner	Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in in the Real Property Records of Hidalgo County, Texas
3. John James "Jay" Closner, III, a/k/a J.J. Closner, III, a/k/a John J. Closner, III [REDACTED] Grapeland, Texas [REDACTED]	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
4. Ann Frances Closner Barnett [REDACTED] Phoenix, Arizona [REDACTED]	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas

	Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
5. Frank Waddell Closner  San Antonio, Texas	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
6. George Bennett Closner a/k/a Bennett Closner  Shavano Park, Texas	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
7. Pamela Lou Closner Hudson a/k/a Pam C. Hudson  San Antonio, Texas	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas

<p>8. John Closner Clancey [REDACTED] Edinburg, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p>
<p>9. George Douglas Clancey [REDACTED] Cherokee, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p>
<p>10. John Calhoun "Jack" Monk, Jr. [REDACTED] Horseshoe Bay, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p>
<p>11. Carmela Robinson [REDACTED] Plano, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346;</p>

	<p>Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p>
<p>12. Barbara Louise Griffin [REDACTED] Houston, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p>
<p>13. Carolyn Davis Williams [REDACTED] Cypress, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p>
<p>14. Gail Griffin Thomason [REDACTED] Harlingen, Texas [REDACTED]</p>	<p>Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in:</p> <p>Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1906-90000057;</p>

	Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
15. Mary Kathryn Griffin Norris  Corpus Christi, Texas	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
16. Paul Closner Hampton  Burleson, Texas	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
17. Richard "Dick" Anthony Ross a/k/a Dick Ross  Harlingen, Texas	Presumptive Heir of John Closner & Alice Closner, relating back to the interest conveyed in: Warranty Deed; Document #1937-9346; Recorded October 19, 1937 in the Real Property Records of Hidalgo County, Texas Deed; Document #1906-90000057; Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas
18. Kathleen A. Serna Executrix of the Estate of Carlos Serna	Deed; Document #1906-90000057;

<p>  Houston, Texas  </p>	<p>Recorded February 19, 1906 in the Real Property Records of Hidalgo County, Texas</p> <p>Deed; Document #1954-1028; Recorded January 25, 1954 in the Real Property Records of Hidalgo County, Texas</p> <p>Warranty Deed; Document # 1961-9809; Recorded June 6, 1961 in the Real Property Records of Hidalgo County, Texas</p> <p>Probate Records of Carlos Serna; Cause No. P-33,854, In the Estate of Carlos Serna, Deceased, In the Probate Court of Hidalgo County, Texas</p>
<p> 19. Pablo “Paul” Villarreal, Jr. Hidalgo County, Texas, Tax Assessor-Collector 2804 S. Business Hwy 281 Edinburg, Texas 78539 </p>	<p>Property Taxes</p>

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
N. Joseph Unruh, United States Attorney's Office, Southern District of Texas, 1701 West Bus. Hwy. 83, Ste. 600, McAllen, TX 78501

DEFENDANTS

0.647 Acres of Land, More or Less, Situate in Hidalgo County, State of Texas; and Hidalgo County, Texas, et al.

County of Residence of First Listed Defendant Hidalgo
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate, and maintain border security

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ _____
UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

12/18/2020

SIGNATURE OF ATTORNEY OF RECORD

/s/ N. Joseph Unruh

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____